

## Updated Informative Digest

The California Department of Public Health (Department or CDPH) is required to establish and maintain an authorized state program for lead activities which meets U.S. Environmental Protection Agency (EPA) standards (Health and Safety Code, Section 105250(b)). To comply with this legislative mandate, the Department adopted regulations governing lead activities (Title 17, California Code of Regulations, Section 35001 *et seq.*, referenced herein as “Title 17”) and was subsequently recognized by EPA as an authorized state program in September 1999. Since that time, both EPA and the U.S. Department of Housing and Urban Development (HUD) adopted new regulations governing lead activities (HUD. Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance; Final Rule. 64 Federal Register 50140, September 15, 1999) and (EPA. Lead; Identification of Dangerous Levels of Lead, Final Rule. 66 Federal Register 1205, January 5, 2001).

The Department amended Title 17 to incorporate these new, more stringent, federal standards in order to ensure the Department’s continued status as an authorized state program and continued eligibility for federal grant funding. These regulations also reduce the incidence of excessive childhood lead exposure in California and are designed to comply with state legislative mandates (Health and Safety Code sections 105250, 124160, and 124165).

All sections in this Chapter were amended to reflect the statutory reorganization of the Department of Health Services into the California Department of Public Health on July 1, 2007 (California Public Health Act of 2006, SB-162, Ortiz), such as replacing “DHS” with “CDPH,” updating authority and reference citations, and amending CDPH Forms.

Sections 35004, 35005.1, 35006, 35007, 35016, 35018, 35019, 35021, 35022, 35031, 35032, 35033, 35035, 35038, 35043, 35045, 35046, and 35050 amend current definitions and adopt new definitions that state the meaning of the terms used by the

Department to specify its requirements in regulation to ensure that the regulations are clear.

Section 35023 was repealed to reflect the Department's reorganization and relocated to section 35004 to continued alphabetized listing of definitions.

Section 35054 amends current regulation to reflect the adoption of the sampling technician discipline related to final examination requirements provided by accredited training providers for training sampling technicians.

Section 35055 amends current regulation to reflect the adoption of the sampling technician discipline related to core instructional requirements, making the sampling technician course exempted from the core instructional requirements.

Section 35061 amends current regulation to reflect the proposed elimination of the project designer course and adoption of the sampling technician course.

Section 35072 amends current regulation to reflect the adoption of the sampling technician discipline related to general continuing education requirements.

Section 35076 reflects the proposed elimination of the project designer course and adoption of the sampling technician course related to application requirements and procedures for training provider accreditation, renewal, and course approval by the Department.

Sections 35081, 35082, 35089, and 35095 reflect the proposed elimination of new certification applications for project designers, and the adoption of the sampling technician discipline related to representation of certification status, application timeliness, certification eligibility requirements, and application requirements.

Section 35088 reflects the elimination of new certification applications for project designers and the certification renewal requirements for existing project designers.

Section 36000 amends current regulation to incorporate the proposed sampling technician discipline and to specify the activities that the proposed sampling technician

discipline are permitted to conduct and to clarify that project monitors may conduct clearance inspections by cross reference to existing regulation that allows project monitors to conduct these inspections.

Section 36050 adopts a standard for lead-safe work practices to set minimum safety standards for lead activities in order to prevent the generation of lead hazards and protect children in California from lead poisoning.

AUTHORITY: Sections 105250, 105255, 105256, 124160, 124165, and 131200, Health and Safety Code.

REFERENCE: Sections 17920, 105251, 105252, 105253, 105254, 105255, 105256, 124160, 124165, and 131051, Health and Safety Code; Sections 1941, 3479, 3480, and 3481, Civil Code; Section 17274(b), Revenue and Taxation Code.